

"Whereas the International Conference of Geneva of eighteen hundred and sixty-three recommended 'that there exist in every country a committee whose mission consists in cooperating in times of war with the hospital service of the armies by all means in its power;' and

"Whereas a permanent organization is an agency needed in every nation to carry out the purposes of said treaties, and especially to secure supplies and to execute the humane objects contemplated by said treaties, with the power to adopt and use the distinctive flag and arm badge specified by said treaties, on which shall be the sign of the Red Cross, for the purpose of cooperating with the 'Comité International de Secours aux Militaires Blessés' (International Committee of Relief for the Wounded in War); and

"Whereas in accordance with the requirements and customs of said international body such an association adopting and using said insignia was formed in the city of Washington, District of Columbia, in July, eighteen hundred and eighty-one known as 'The American National Association of the Red Cross,' reincorporated April seventeenth, eighteen hundred and ninety-three, under the laws of the District of Columbia, and reincorporated by Act of Congress in June, nineteen hundred; and

"Whereas it is believed that the importance of the work demands a repeal of the present charter and a reincorporation of the society under Government supervision: Now, therefore,".

CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1a, 2, 8 of this title.

§ 1a. Continuation of corporation

The corporation now existing as The American National Red Cross under sections 1, 2 to 6, 8, and 9 of this title shall continue as a body corporate and politic in the District of Columbia. The first national convention after May 8, 1947, shall be convened and held under rules and regulations prescribed by the governing body of the corporation as presently constituted. After such first national convention, the Board of Governors of the corporation from time to time shall constitute the associates and successors of the incorporators named in said sections, and neither the said incorporators nor any associates or successors theretofore designated by them or by their successors shall have any powers or duties.

(May 8, 1947, ch. 50, § 8, 61 Stat. 83.)

§ 2. Name and powers of corporation

The name of this corporation shall be "The American National Red Cross", and by that name it shall have perpetual succession, with the power to sue and be sued in courts of law and equity, State or Federal, within the jurisdiction of the United States; to have and to hold such real and personal estate as shall be deemed advisable and to dispose of the same, to accept

gifts, devise, and bequests of real and personal estate for the purposes of this corporation hereinafter set forth; to adopt a seal and the same to alter and destroy at pleasure; and to have the right to have and to use, in carrying out its purposes hereinafter designated, as an emblem and badge, a Greek red cross on a white ground, as the same has been described in the treaties of Geneva, August twenty-second, eighteen hundred and sixty-four and July twenty-seventh, nineteen hundred and twenty-nine, and adopted by the several nations acceding thereto; to ordain and establish bylaws and regulations not inconsistent with the laws of the United States of America or any State thereof, and generally to do all such acts and things as may be necessary to carry into effect the provisions of sections 1, 2 to 6, 8, and 9 of this title and promote the purposes of said organization; and the corporation created is designated as the organization which is authorized to act in matters of relief under said treaties. In accordance with the said treaties, the delivery of the brassard allowed for individuals neutralized in time of war shall be left to military authority.

(Jan. 5, 1905, ch. 23, § 2, 33 Stat. 600; May 8, 1947, ch. 50, § 3, 61 Stat. 81.)

AMENDMENTS

1947—Act May 8, 1947, increased certain powers of corporation to accept gifts and devises of real estate.

CROSS REFERENCES

Licenses for erection and use of buildings on military installations, see section 2670 of Title 10, Armed Forces.

Loan of equipment needed for instruction and practice to organization formed by Red Cross aiding armed forces in war time, see section 2542 of Title 10.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1a, 8 of this title.

§ 3. Purposes of corporation

The purposes of the corporation are and shall be—

First. To furnish volunteer aid to the sick and wounded of Armed Forces in time of war, in accordance with the spirit and conditions of the conference of Geneva of October, eighteen hundred and sixty-three, and also of the treaties of the Red Cross, or the treaties of Geneva, of August twenty-second, eighteen hundred and sixty-four, and July twenty-seventh, nineteen hundred and twenty-nine, to which the United States of America has given its adhesion, and also of any other treaty or convention similar in purpose to which the United States of America may hereafter give its adhesion.

Second. And for said purposes to perform all the duties devolved upon a national society by each nation which has acceded to any of said treaties or conventions.

Third. To succeed to all the rights and property which were prior to January 5, 1905, held and to all the duties which were prior to January 5, 1905, performed by the American National Red Cross as a corporation duly incorporated by Act of Congress June 6, 1900, which Act is repealed and the organization created thereby is dissolved.

Fourth. To act in matters of voluntary relief and in accord with the military authorities as a medium of communication between the people of the United States of America and their Armed Forces, and to act in such matters between similar national societies of other governments through the "Comité International de Secours", and the Government and the people and the Armed Forces of the United States of America.

Fifth. And to continue and carry on a system of national and international relief in time of peace and apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other great national calamities, and to devise and carry on measures for preventing the same.

(Jan. 5, 1905, ch. 23, § 3, 33 Stat. 600; May 8, 1947, ch. 50, § 4, 61 Stat. 81; July 17, 1953, ch. 222, § 4(a), (b), 67 Stat. 179.)

REFERENCES IN TEXT

Act of Congress June 6, 1900, referred to in text, is act June 6, 1900, ch. 784, 31 Stat. 277, which is not classified to the Code.

AMENDMENTS

1953—Act July 17, 1953, in first par. substituted "Armed Forces" for "armies" and, in fourth par. substituted "Armed Forces" for "Army and Navy" and struck out "and naval" after "military".

1947—Act May 8, 1947, included the treaty of July 27, 1929, in first and second pars.

CROSS REFERENCES

Cooperation and assistance to armed forces, see section 2602 of Title 10, Armed Forces.

Operation of American Red Cross vessels under Neutrality Act of 1939, see section 444 of Title 22, Foreign Relations and Intercourse.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1a, 2, 8 of this title.

§ 4. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862

Section, acts Jan. 5, 1905, ch. 23, § 4, 33 Stat. 600; June 23, 1910, ch. 372, § 1, 36 Stat. 604, related to fraudulent representation or use of insignia. See sections 1, 706 and 917 of Title 18, Crimes and Criminal Procedure.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1948, see section 20 of act June 25, 1948, set out as an Effective Date note preceding section 1 of Title 18, Crimes and Criminal Procedure.

§ 4a. Membership; status of chapters; rules and regulations governing chapters; election of officers

Membership in the American National Red Cross shall be open to all the people of the United States, its Territories, and dependencies, upon payment of the sums specified from time to time in the bylaws.

The chapters of the American National Red Cross shall be the local units of the corporation within the States and Territories of the United States. The regulations with respect to the granting of charters to the chapters and the revocation of the same, the territorial jurisdiction

of the chapters, the relationship of the chapters to the corporation and compliance by the chapters with the policies and rules of the corporation, shall be as determined from time to time by the Board of Governors. Such regulations shall require that each chapter shall, in the election of the governing body of the chapter and in the selection of delegates to the national convention of the corporation, adhere to democratic principles of election as specified in the bylaws.

(Jan. 5, 1905, ch. 23, § 4a, as added May 8, 1947, ch. 50, § 5, 61 Stat. 81.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1a, 2, 8 of this title.

§ 5. Board of Governors; number; election; tenure; filling vacancies; annual meetings; voting by proxy

The governing body of the corporation in which all powers of government, direction, and management of the corporation shall be lodged, shall consist of a Board of Governors numbering fifty persons, to be appointed or elected in the manner following, namely:

(a) Eight Governors shall be appointed by the President of the United States. Of the Governors so appointed, one shall be designated by the President of the United States to act as the principal officer of the corporation with such title and such functions as may from time to time be prescribed in the bylaws; and the remainder shall be officials of departments and agencies of the Federal Government, whose positions and interests are such as to qualify them to contribute toward the accomplishment of Red Cross programs and objectives. Of these at least one and not more than three shall be selected from the armed forces.

(b) Thirty Governors shall be elected by the chapters. The Governors so elected shall be elected at the national convention under procedures for nomination and election which shall be such as to insure equitable representation of all the chapters, having regard to geographical considerations, to the size of the chapters and to the size of the populations served by the chapters.

(c) Twelve Governors shall be elected by the Board of Governors as members-at-large. The Governors so elected shall be individuals who are representative of the national interests which it is the function of the Red Cross to serve, and with which it is desirable that the corporation shall have close association.

The term of office of all Governors shall be three years, except that the term of office of any Governor appointed by the President of the United States (other than the principal officer of the corporation) shall expire if and when such Governor shall retire, prior to the date on which his term as Governor would otherwise expire, from the official position held at the time of his appointment as Governor.

Of the first Board of Governors to be selected hereunder, those Governors to be elected pursuant to subsection (b) of this section shall be elected at the first national convention follow-